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Paper No. 11

MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH NC 27627

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In re Application of :
John Stewart Jakes :
Application No. 10/001,320 :
Filed: October 19, 2001 :
Attorney Docket No. 9052-93 :

OFFICE OF PETITIONS

DECISION GRANTING PETITION

This is a decision on the petition filed September 18, 2002, under 37 CFR 1.10(c) requesting that the above-cited application be accorded a filing date of October 19, 2001, rather than the presently accorded filing date of October 15, 2001.

Petitioner alleges that the application was retrieved and accepted by the Express Mail pick-up service on October 19, 2001. In support, the petition is accompanied by a copy of the "Pickup Service Statement for Express Mail, Priority Mail, or Parcel Post" showing a receipt number of EL920741876US (the same Express Mail number found on the original application papers located in the file) showing a "date in" of October 19, 2001.

In view of the above, the petition is granted. A corrected filing receipt is enclosed showing the filing date for the application as October 19, 2001. No petition fee is due.

The application file is being returned to the Office of Initial Patent Examination for further processing with a filing date of October 19, 2001.

Any inquiries related to this decision should be directed to the undersigned at (703)305-0010

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy